

Message Text

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PAGE 01 STATE 204799
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 DLOS-09 H-02 /027 R

DRAFTED BY L/T:J A BOYD:

APPROVED BY L/T J A BOYD

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FM SECSTATE WASHDC

TO AMEMBASSY VIENNA IMMEDIATE

UNCLAS STATE 204799

E.O. 11652: N/A

TAGS: PFOR

SUBJECT: L/T MATTERS

REF: VIENNA 7209 AND 7210

FOR ARTHUR W. ROVINE, USDEL TO SUCCESSION OF STATES CONFER-
ENCE

1. THOUGH HOUSE-SENATE CONFERENCE HAS ENDED, STATE AUTHOR-
IZATION BILL STILL DOES NOT HAVE REPORTABLE LANGUAGE ON
CASE ACT AMENDMENTS.

2. HOUSE-SENATE CONFEREES REPORTEDLY DROPPED AMENDMENT
STATING THAT: "IT IS THE SENSE OF THE SENATE THAT,
IN DETERMINING WHETHER A PARTICULAR INTERNATIONAL AGREEMENT
SHOULD BE SUBMITTED AS A TREATY, THE PRESIDENT SHOULD,
PRIOR TO AND DURING THE NEGOTIATION OF SUCH AGREEMENT SEEK
THE ADVICE OF THE COMMITTEE ON FOREIGN RELATIONS AS TO
WHETHER IT SHOULD BE A TREATY OR AN EXECUTIVE AGREEMENT."

3. SENATOR GLENN AND CLARK HAVE SUBMITTED S. RES. 536:
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"RESOLVED, THAT THIS RESOLUTION MAY BE CITED AS THE "INTER-
NATIONAL AGREEMENTS CONSULTATION RESOLUTION".

SEC. 1. IT IS THE SENSE OF THE SENATE THAT, IN DETERMINING

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WHETHER A PARTICULAR INTERNATIONAL AGREEMENT SHOULD BE SUB-
MITTED AS A TREATY, THE PRESIDENT SHOULD, PRIOR TO AND

DURING THE NEGOTIATIONS OF SUCH AGREEMENT, SEEK THE ADVICE OF THE COMMITTEE ON FOREIGN RELATIONS.

SEC. 2. THE SECRETARY OF THE SENATE SHALL TRANSMIT A COPY OF THIS RESOLUTION TO THE PRESIDENT."

SENATE COMMITTEE ON FOREIGN RELATIONS IS SCHEDULED TO CONSIDER THIS RESOLUTION ON 8/15/78.

4. SENATOR GLAENN'S REMARKS CONCERNING S. RES. 536 READ IN PART AS FOLLOWS:

"THIS ADMINISTRATION HAS COMMITTED ITSELF TO CONSULTATION AND COOPERATION WITH CONGRESS IN THIS AREA. IN AN EXCHANGE OF LETTERS WITH SENATOR SPARKMAN...DOUGLAS T. BENNET HAS EXPRESSED THE STATE DEPARTMENT'S WILLINGNESS TO CONSULT ON THE FORM OF ANY SIGNIFICANT INTERNATIONAL AGREEMENT. PASSAGE OF THIS RESOLUTION WOULD BE USEFUL IN REINFORCING THAT UNDERSTANDING, INSURING THAT THIS ADMINISTRATION ADHERES TO ITS COMMITMENTS, AND PAVING THE WAY FOR SIMILAR COMMITMENTS BY FUTURE ADMINISTRATIONS."

5. ON JULY 28, CHAIRMAN SPARKMAN SENT TO DEPARTMENT LETTER CONCERNING CONSULTATIONS PROCEDURE (POUCHED TO EMBASSY 8/4/78) READING IN PART AS FOLLOWS: "I AM PLEASED TO ACCEPT YOUR PROPOSAL TO INFORM THE COMMITTEE
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PERIODICALLY, ON A CONFIDENTIAL BASIS, OF SIGNIFICANT INTERNATIONAL AGREEMENTS WHICH HAVE BEEN AUTHORIZED FOR NEGOTIATION PURSUANT TO THE CIRCULAR 175 PROCEDURES. I WOULD HOPE THAT, NOTWITHSTANDING THIS REFERENCE TO THE CIRCULAR 175 PROCEDURE, CONSULTATION WOULD TAKE PLACE WITH RESPECT TO AGREEMENTS TO BE NEGOTIATED NOT ONLY BY THE DEPARTMENT OF STATE BUT BY OTHER DEPARTMENTS AND AGENCIES AS WELL. I BELIEVE THAT, TO BE MEANINGFUL, A CONSULTATIVE MECHANISM MUST COVER ALL SIGNIFICANT INTERNATIONAL AGREEMENTS CONTEMPLATED BY THE UNITED STATES, REGARDLESS OF THE EXECUTIVE ENTITY INVOLVED IN THE NEGOTIATION OR APPROVAL PROCESSES. I WOULD HOPE, IN ADDITION, THAT THE COMMITTEE WOULD BE CONSULTED ON THE QUESTION OF WHETHER A CERTAIN ARRANGEMENT WILL BE REGARDED AS AN INTERNATIONAL AGREEMENT, AS IT WAS IN THE CASE OF THE UNILATERAL POLICY DECLARATION REGARDING CONTINUED ADHERENCE TO TERMS OF THE SALT I AGREEMENT. THIS IS, AS YOU KNOW, A SUBJECT WHICH THE COMMITTEE HAS TAKEN AN INCREASED INTEREST IN RECENT YEARS, AND I BELIEVE CONSULTATIONS ON THIS QUESTIONS CAN BE PRODUCTIVE FOR BOTH BRANCHES."

6. DEPARTMENT IS REQUESTING TIME BEFORE RESPONDING TO
ITEMS IN PARAS 3, 4, AND 5.

7. NEW ATTORNEY-ADVISER SCHEDULED TO BEGIN IN L/T ON
8/14/78.

8. REPLY TO VIENNA 6982 AND VIENNA 7210 CONTAINED IN
STATE 203257. CHRISTOPHER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SECESSION, INDEPENDENCE, AGREEMENTS, RESOLUTIONS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE204799
Document Source: CORE
Document Unique ID: 00
Drafter: J A BOYD:
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780330-1018
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780869/aaaacvfv.tel
Line Count: 124
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: c0050e64-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 VIENNA 7209
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1754619
Secure: OPEN
Status: NATIVE
Subject: L/T MATTERS
TAGS: PFOR, PEPR, PGOV
To: VIENNA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/c0050e64-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014